

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS : Livingston et al.
SERIAL NUMBER : 10/627,075 EXAMINER : Valarie E. Bertoglio
FILING DATE : July 24, 2003 ART UNIT : 1632
FOR : COMPOSITION AND METHOD FOR IMAGING CELLS

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Transmitted herewith for filing in the present application are the following documents:

1. Supplemental Information Disclosure Statement (2 pages);
2. Modified Form 1449/PTO (1 page), in duplicate;
3. Copies of Cited References: C15-16; and
3. Return Postcard.

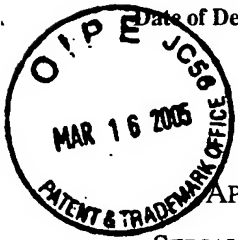
If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to contact the undersigned at (617) 542-6000, Boston, Massachusetts.

The Commissioner is authorized to charge any fees that may be due, or to credit any overpayment, to the undersigned's account, Deposit Account No. 50-0311 Ref. No. 20363-019. A duplicate copy of this transmittal letter is enclosed herewith.

Respectfully submitted,

Ivor R. Elrifi, Reg. No. 39,529
Cynthia A. Kozakiewicz, Reg. No. 42,764
Attorneys for Applicants
c/o MINTZ, LEVIN
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Customer no.: 30623
Tel: (617) 542-6000
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Date: March 16, 2005



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SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Pursuant to the duty of disclosure under 37 C.F.R. §§1.56, 1.97 and 1.98, Applicants hereby make of record the documents listed on the attached modified Form PTO-1449, as well as copies of the listed documents.

This Supplemental Information Disclosure Statement is being filed within three months of the mailing date of the International Search Report for PCT/US03/23152, mailed March 1, 2005 and which corresponds to the above-identified case. Accordingly, no fee or certification is believed due.

It is respectfully requested that the Examiner consider completely the cited information, along with any other information, in reaching a determination concerning the patentability of the present claims, and sign the enclosed form PTO-1449 to evidence that the cited information has been fully considered by the Patent and Trademark Office during the examination of this application.

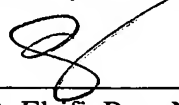
By submitting this Supplemental Information Disclosure Statement, the Applicants make no representation that: (1) a search has been performed, of the extent of any search performed, or that more relevant information does not exist; (2) the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56(b); and (3) the information cited in the Statement is, or is considered to be, in fact, prior art as defined by 35 U.S.C. §102.

APPLICANTS: Livingston et al.
U.S.S.N.: 10/627,075

Notwithstanding any statements by the Applicants, the Examiner is urged to form his/her own conclusion regarding the relevance of the cited information. An early and favorable action is hereby requested.

Please charge any fees that may be due, or credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. 20363-019.

Respectfully submitted,



Ivor R. Elrifi, Reg. No. 39,529
Cynthia A. Kozakiewicz, Reg. No. 42,764
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Date: March 16, 2005

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Page 1 of 1
Attorney Docket No.: 20363-019

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| Modified Form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary) | | | | Application Number | | 10/627,075 | |
| | | | | Filing Date | | July 24, 2003 | |
| | | | | First Named Inventor | | Livingston | |
| | | | | Group Art Unit | | 1632 | |
| | | | | Examiner Name | | Valarie E. Bertoglio | |
| | | | | Attorney Docket Number | | 20363-019 | |
| U.S. PATENT DOCUMENTS | | | | | | | |
| Exam Initials | Cite No. | U.S. Patent Document No. | Issue Date | Name of Patentee(s) or Applicant(s) | Class | Sub Class | Filing Date If Appropriate |
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| U.S. PUBLISHED APPLICATION DOCUMENTS | | | | | | | |
| Exam Initials | Cite No. | U.S. Published Application No. | Published Date | Name of Patentee(s) or Applicant(s) | Class | Sub Class | Filing Date If Appropriate |
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| FOREIGN PATENT DOCUMENTS | | | | | | | |
| Exam Initials | Cite No. | Foreign Patent Document Office Number | Name of Patentee(s) or Applicant(s) | Date of Publication | Translation Yes No | | |
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| OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS | | | | | | | |
| Exam Initials | Cite No. | Name of Author, Title (when appropriate), Publication, Volume, Page(s), Date, Etc. | | | | | |
| | C15 | Wilson et al. <i>Toxicological Sciences</i> , 66:69-81 (2002) | | | | | |
| | C16 | International Search Report for PCT/US03/23152, mailed March 1, 2005. | | | | | |
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A copy of this reference is not provided as it was previously cited by or submitted to the office in a prior application, Serial No. _____, filed _____, and relied upon for an earlier filing date under 35 U.S.C. §120 (continuation, continuation-in-part, and divisional applications).

| | | | |
|-----------------------|--|--------------------|--|
| Examiner Signature | | Date Considered | |
|-----------------------|--|--------------------|--|

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.